

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA  
v  
SCOTT SHREFFLER, et al.,

) CRIMINAL NO. 1:CR-01-215  
)  
)  
(Caldwell,J.)  
)  
)

## **MOTION TO CONFISCATE AND DESTROY FIREARM**

AND NOW, the United States of America, by its undersigned counsel moves pursuant to Rule 47 of the Federal Rules of Criminal Procedure and Title 18, United States Code, Section 3665, to confiscate and destroy firearms seized in the course of the above-captioned case. In support of this motion the United States alleges as follows:

1. In the course of the investigation and prosecution of the above-captioned case. Police seized a retained a firearm; namely, a Taurus Model PT 58s, .380 caliber pistol with an obliterated serial number.

2. The defendants were all convicted in this matter and as a result of those convictions may no longer possess firearms. The firearm , in turn, is an illegal weapon since its serial number has been obliterated, and no longer possesses evidentiary value.

3. Title 18, United States Code, Section 3665, provides in part that in any case involving a felony violation of the laws of the United States, where that felony involves "the use of threats, force or violence or [was] perpetrated in whole or in part by the use of firearms," the district court may order the confiscation and disposal of any firearms found in the defendant's possession.

4. In this case the United States submits that the requirements of 18 U.S.C. § 3665 are fully met. The defendants were all convicted of a felony under the laws of the United States, and now may no longer lawfully possess such weapons, and the weapon itself may not be lawfully possessed since its serial number was obliterated.

WHEREFORE, for the foregoing reasons the United States requests that the Court enter an order directing that these firearms be confiscated and destroyed. No brief is submitted in support of this motion since the grounds for the government's request are fully set forth herein.

Respectfully submitted,

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Dated: \_\_\_\_\_